GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Commissioner of Commercial Taxes – Sri.M.Ramalinga Sastry, Deputy Commercial Tax Officer (Retired) – Awarded the punishment of lumpsum cut of amount equivalent to the last annual grade increment from the gratuity - awarded – O.A.No.593/2012 filed by Sri Ramalinga Sastry – O.A allowed - further action dropped –Orders-Issued.

REVENUE (VIGILANCE – II) DEPARTMENT

G.O.Rt.No.259 Dated:10-03-2016

Read the following:-

Ref:- 1. G.O.Rt.No.2495, Rev (Vig.I) Dept, Dt.16.12.2005.
2. G.O.Rt.No.1434, Rev(Vig.I) Dept, Dt.2.12.2011.
3. Orders of the APAT,Hyderabad in O.A.No.593/ 2012, Dt.24.07.2012 filed by Sri.M.Ramalinga Sastry. DCTO (Retd.)

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ORDER:

Whereas common disciplinary proceedings have been initiated against Sri M.Ramalinga Sastry, Deputy Commercial Tax Office, and 20 others of Commercial Tax and Excise Departments and framed charges vide orders G.O.Rt.Nos.2491 to 2511, Revenue (Vigilance-I) Department, dated 16-12-2005 on the allegations that the Check Post staff are indulging in certain irregularities noticed during the surprise check conducted by the Anti Corruption Bureau officials over the Integrated Check Post, BV Palem, Tada Mandal, Nellore district on 26-02-2001. The charges issued vide G.O.Rt.No.2495 pertains to the Sri.M.Ramalinga Sastry, former Deputy Commercial Tax Officer (now retired) for the absent to duty at the time of surprise check conducted by the Anti Corruption Bureau being a Administrative Officer of Check Post. In the inquiry, guilt of the above charged officer has been proved and the Government after examining the matter, have imposed the punishment of lumpsum cut of amount equivalent to the last annual grade increment from the gratuity, vide orders in the reference 2nd read above.

2. Whereas, against the said orders, Sri.M.Ramalinga Sastry has filed O.A.No.593 of 2012 before the Hon'ble Andhra Pradesh Administrative Tribunal and the Hon`ble Tribunal in its judgement observed that the incident / event (surprise check) took place on 26-02-2001 and charges have been framed on 16.12.2005 and in the meanwhile the Charged Officer was retired from service on 31-03-2002 and as per rule 9 (2) (b) (ii) of Andhra Pradesh Revised Pension Rules disciplinary action shall not be initiated against a retired Government Servant in respect of any incident took place more than four years before such institution. The Hon`ble Tribunal has finally allowed the OA and set aside the Government Order dated: 02-12-2011 and the consequential proceedings issued by Commissioner of Commercial Tax Ref No.V2/1590/2005, dated: 09-12-2011, vide

Contd., 2

orders dated: 24-07-2015 and directed the respondents to release the amounts that were recovered from the applicant in pursuance of
the above orders within a period of eight weeks from the date of receipt of the judgement.

3. Government after careful examination of the matter, here by rescind the punishment orders issued in G.O 2nd read above (against the charged officer), to the extent of the charged officer Sri.M.Ramalinga Sastry and further action against Sri.M.Ramalinga Sastry, Deputy Commercial Tax Officer (Retired) is dropped on the charge framed against him for the absent to duty on the day of surprise check.

4. The Commissioner of Commercial Tax, Andhra Pradesh shall take necessary action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO
GOVERNMENT

To
The Commissioner of Commercial Taxes,
Andhra Pradesh, Hyderabad.
The individual
(through the Commissioner of Commercial Tax,
Andhra Pradesh, Hyderabad.)
The Deputy Commissioner, Commercial Taxes, Nellore.

Copy to:

The District Treasury Officer, Nellore District.
The Director of Treasury and Accounts, Andhra Pradesh, Hyderabad.
The Accountant General, Andhra Pradesh, Hyderabad.
The Revenue(Commercial Tax.I) Department.
The Director General, Anti Corruption Bureau,
Andhra Pradesh, Hyderabad.
The Secretary Andhra Pradesh Vigilance Commission, Hyderabad.
SC/SF

// FORWARDED :: BY ORDER //

SECTION OFFICER